



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

3. JURY TRIALS—*Extraneous influences—Coercion to verdict—Time to be kept together—Expressions by trial judge.* Trial by jury is a sacred right and should be sedulously guarded. The jury should not only be kept from all extraneous influences in reaching their verdict, but the court itself should be careful not to trench upon their province. They should not be coerced, by threat or otherwise, into finding a verdict; for a verdict resulting from coercion could not be allowed to stand. The verdict should be the untrammelled expression of the concurrence of individual judgments. But a reasonable time, to be determined by the circumstances of the case, should be allowed the jury for the performance of their duty, and they should be kept together until the trial court is satisfied that they have made an honest effort to agree, and cannot from a conscientious difference of judgment. Great latitude is allowed the trial court as to the length of time the jury shall be kept together, and unless it is a clear case of abuse of such discretion, the verdict will not be disturbed on the ground of coercion. But it is the safer and better practice for the trial court to refrain from any expression of opinion, which may be claimed to savor of threat or coercion, as to the time the jury will be kept together if a verdict is not sooner rendered.

4. JURY TRIALS—*Questions by jury—Answer by court—Presence of counsel.* Counsel engaged in a case should, according to the better practice, be apprised of any question propounded by the jury to the court that may affect the case before an answer is returned by the court, but a failure to apprise them will not vitiate the verdict if the answer is correct.

JONES v. MURPHY.—Decided at Wytheville, June 11, 1896.—*Cardwell, J. Absent, Harrison, J.*

1. PARTNERSHIP—*What constitutes—Profits—Losses.* In order to constitute a partnership it is necessary that there shall be an agreement that something shall be attempted with a view to gain, and that this gain shall be shared between the parties to the agreement. There must be an agreement for a division of profits arising from some predetermined business engaged in for their common benefit. It is not essential, however, that there shall be an agreement to divide the losses of the undertaking.

2. CHANCERY JURISDICTION—*Adequate remedy at law—Partnerships—Case in judgment.* The remedy at law is not adequate for the settlement of partnership accounts, and any partner may file his bill in equity for the settlement of the same. The evidence in the case in judgment shows a partnership between the parties, and that the appellant had no right or power to deprive appellee of his share of the profits of that partnership.

CHESAPEAKE & OHIO RAILWAY CO. v. CLOWES.—Decided at Wytheville, June 11, 1896.—*Keith, P. Absent, Harrison, J.*

1. RAILROADS—*Passengers—Contributory negligence—Passing from one coach to another in search of a seat.* A passenger on a railroad train, when he has paid his fare, is entitled to a seat, and not finding one in the coach which he enters he has the right, while the train is in motion, to pass from one coach to another in search of a seat, provided he does so cautiously and carefully.

2. RAILROADS—*Negligence—Rate of speed.* Mere rate of speed, though unusual,